

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 23-20152

v

HON. MARK A. GOLDSMITH

D-1- JACK CARPENTER, III,

Defendant.

/

ORDER STRIKING DEFENDANT’S BRIEF (DKT. 36)

Defendant Jack Carpenter, III is represented in this action by counsel, by Jean Pierre Nogues, III. Nevertheless, on June 7, 2023, Defendant filed a brief (Dkt. 36).

Since Defendant is represented by counsel, Defendant is attempting to proceed in a “hybrid” fashion, both through counsel and pro se by way of his submission. See McKaskle v. Wiggins, 465 U.S. 168, 183 (1984). Although the Sixth Amendment guarantees defendants the right to conduct their own defense by representing themselves, see Faretta v. California, 422 U.S. 806 (1975), the right of self-representation does not include the right to proceed in a hybrid manner, see McKaskle, 465 U.S. at 183 (“Faretta does not require a trial judge to permit ‘hybrid’ representation”); see also United States v. Mosely, 810 F.2d 93, 97-98 (6th Cir. 1987) (“[T]he question whether to allow a defendant to participate in his own defense along with counsel in ‘hybrid representation’ is a matter committed to the sound discretion of the trial court.”).

The Court, in the exercise of its discretion, will not permit Defendant to proceed in

a hybrid manner. Therefore, Defendant's *pro se* submissions—docket entry 36 is stricken from the record. Any relief sought by Defendant must be sought through counsel unless Defendant elects to exercise his right to proceed without counsel.

SO ORDERED.

Dated: June 8, 2023
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge